Writ petition No. 754 (S/B) /2001

Hari Ram Nautiyal …….. Petitioner

Versus

State of Uttaranchal and others …… Respondents

Hon.A.A.Desai, C.J.
Hon. M.C.Jain,J.

The petitioner was initially Assistant Manager in the Industrial Department. He was sent on deputation to District Handicap and Welfare Department, Lucknow. The post in the foreign department was carrying higher scale of pay of Rs. 6500-10500. This assignments was on deputation for a fixed tenure. By the impugned order, the petitioner is brought back to his parent department.

The grievance of Mr. S.N.Babulkar, learned counsel for the petitioner, is that owing to repatriation, he is posted on a scale lower than applicable to him in the foreign department. Therefore, precisely his submission is that this constitutes reversion. The submission is mis-conceived. The petitioner in terms of the earlier order is brought back to his substantive post which carries the pay scale of 5000-8000.

Another submission of Mr. Babulkar is that no opportunity was given. The impugned action does not entail any punishment. As such, the petitioner was not entitled to any opportunity. We do not see any merit in the petition.

The petition is, therefore, dismissed.

(A.A.Desai, C.J.) **(M.C. Jain,J.)**

Dt. 13.06.2001
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